



U.S. Department

United States Attorney
Southern District of New York

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The Silvio J. Molloy Building
One Saint Andrew's Plaza
New York, New York 10007

December 14, 2022

BY ECF

The Honorable Analisa Torres
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *United States v. George Marcial*, 22 Cr. 208 (AT)

Dear Judge Torres:

The Government respectfully writes to advise the Court that the parties have conferred and agreed to the following pretrial disclosure deadlines in advance of the February 6, 2023 trial date, which they request that the Court adopt:

January 6, 2023: Both parties' expert disclosures, if any.
Government witness list.¹

January 16, 2023: Government non-documentary exhibits.

January 23, 2023: Government 3500 material.
Defense witness list, non-documentary exhibits—including any exhibits to be introduced through Government witnesses, and material covered by Federal Rule of Criminal Procedure 26.2.

The parties recognize that 3500 and Rule 26.2 obligations are continuing, and accordingly that when new material is generated after the pertinent deadline described above, such material will be timely provided, *i.e.*, generally less than 24 hours after it is generated, and prior to the witness to whom it applies next taking the stand. The defense has also agreed that, consistent with Rule 26.2(c), if the defense intends to withhold any such material on the ground of privilege or work-product, it will provide that material to the Court for timely review.

¹ All references to witness and exhibit lists are subject to good-faith revisions as the parties continue to prepare their case for trial.

Finally, both the Government and the defense anticipate timely agreeing to stipulations to avoid the need to call custodians of records or otherwise to authenticate evidence or the accuracy of transcripts, and the parties agree that the dates set forth herein do not alter the parties' reciprocal discovery obligations or the obligation to produce materials obtained pursuant to Federal Rule of Criminal Procedure 17(c), absent an order to the contrary.

Respectfully submitted,

DAMIAN WILLIAMS
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cc: All counsel of Record (by ECF)

SO ORDERED.

Dated: December 16, 2022
New York, New York



ANALISA TORRES
United States District Judge